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REMARKS

In response to the Office Action dated April 27, 2006, Applicant respectfully requests reconsideration based on the above amendments and the following remarks. Applicant respectfully submits that the claims as presented are in condition for allowance.

Claims 1, 4, 8 and 20-22 were rejected under 35 U.S.C. § 103 as being unpatentable over Centner in view of Moskowitz. This rejection is traversed for the following reasons.

Claim 1 recites, *inter alia*, "the first signal being transmitted to product or service providers within a broadcast range of the mobile transceiver device regardless of identities of the product or service providers and abilities of the product or service providers to provide the product or service." Neither Centner nor Moskowitz teaches or suggests this feature.

Centner teaches the buyer establishing a list of preferred suppliers as shown in step 205 of Figure 2. Further, when the buyer transmits an RFQ, the RFQ is transmitted to preferred suppliers which sell the items required by the buyer (steps 314). Further, the buyer may select and unselect suppliers at step 317. In the process of claim 1, the first signal is transmitted to "product or service providers within a broadcast range of the mobile transceiver device regardless of identities of the product or service providers and abilities of the product or service providers to provide the product or service." This is not taught in Centner. To the contrary, Centner teaches limiting distribution of the RFQ to certain suppliers based on their preferred status and their ability to provide an item.

Moskowitz teaches transmitting a short range identity signal from the customer to the merchant (step 302 of FIG. 3). This short range signal only notifies the merchant that a wireless device is in range. The merchant then sends a menu to the customer and the customer sends a single order to the merchant (see step 310 of FIG. 3, paragraph [0031]). In Moskowitz, a single transmission is made from the customer to a single merchant to identify desired goods. Moskowitz fails to teach a signal identifying a desired product or service transmitted to "product or service providers within a broadcast range of the mobile transceiver device regardless of identities of the product or service providers and abilities of the product or service providers to provide the product or service." Thus, even if Centner and Moskowitz are combined, at least these features of claim 1 are not taught.

For at least the above reasons, claim 1 is patentable over Centner in view of Moskowitz. Claims 4, 8, 21 and 22 variously depend from claim 1 and are patentable over

Centner in view of Moskowitz for at least the reasons advanced with reference to claim 1. Claim 20 recites features similar to those discussed above with reference to claim 1 and is patentable over Centner in view of Moskowitz for at least the reasons advanced with reference to claim 1.

Claims 2 and 3 were rejected under U.S.C. § 103 as being unpatentable over Centner in view of Moskowitz and Priceline. This rejection is traversed for the following reasons. Priceline was relied upon for disclosing pricing and expiration date features, but fails to cure the deficiencies of Centner in view of Moskowitz discussed above with reference to claim 1. Claims 2 and 3 depend from claim 1 and are patentable over Centner in view of Moskowitz and Priceline for at least the reasons advanced with reference to claim 1.

Claim 5 was rejected under U.S.C. § 103 as being unpatentable over Centner in view of Moskowitz and Day. This rejection is traversed for the following reasons. Day was relied upon for disclosing an offer expiration date, but fails to cure the deficiencies of Centner in view of Moskowitz discussed above with reference to claim 1. Claim 5 depends from claim 1 and is patentable over Centner in view of Moskowitz and Day for at least the reasons advanced with reference to claim 1.

Claims 6 and 9 were rejected under U.S.C. § 103 as being unpatentable over Centner in view of Moskowitz and Joao. This rejection is traversed for the following reasons. Joao was relied upon for disclosing a cellular phone for transmitting and receiving messages, but fails to cure the deficiencies of Centner in view of Moskowitz discussed above with reference to claim 1. Claims 6 and 9 depend from claim 1 and are patentable over Centner in view of Moskowitz and Joao for at least the reasons advanced with reference to claim 1.

Claim 7 was rejected under U.S.C. § 103 as being unpatentable over Centner in view of Moskowitz and Covington. This rejection is traversed for the following reasons. Covington was relied upon for disclosing receiving a message at a store location, but fails to cure the deficiencies of Centner in view of Moskowitz discussed above with reference to claim 1. Claim 7 depends from claim 1 and is patentable over Centner in view of Moskowitz and Covington for at least the reasons advanced with reference to claim 1.

In view of the foregoing remarks and amendments, Applicant submits that the above-identified application is now in condition for allowance. Early notification to this effect is respectfully requested.

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to Deposit Account 06-1130.

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